

TD AF

Practitioner's Docket No. NEB-210-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Huimin Kong, Myriam Vincent and Yan Xu

Application No.: 10/665,633

Group No.: 1637

Filed: 09/19/2003

Examiner: Strzelecka

For: Helicase Dependent Amplification of Nucleic Acids

**RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

GX with sufficient postage as first class mail.

37 C.F.R. § 1.10*

G as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Signature

Leslie Goldberg

(type or print name of person certifying)

Date: January 31, 2007

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

STATUS

2. Applicant is a small entity A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)		SMALL ENTITY		
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDIT. FEE	
TOTAL	50	MINUS	50	= 0	x	\$ 25.00	= \$	0.00
INDEP	4	MINUS	3	= 1	x	\$ 100.00	= \$	100
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+	\$ 0.00	= \$	0.00
TOTAL							\$	100.00
ADDIT. FEE								

Total additional fee for claims required \$100.00

FEE PAYMENT

5. Attached is a check in the amount of \$100.00.

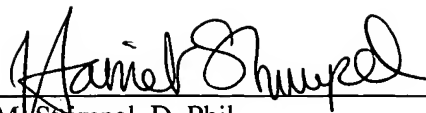
A duplicate of this paper is attached.

FEE DEFICIENCY

6. If any additional extension and/or fee is required, charge Account No. 14-0740.

If any additional fee for claims is required, charge Account No. 14-0740.

Date: January 31, 2007

A handwritten signature in black ink, appearing to read "Harriet Stimpel", written over a horizontal line.

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Docket No.: NEB-210-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Kong et al. EXAMINER: Strzelecka

SERIAL NO.: 10/665,633 GROUP: 1637

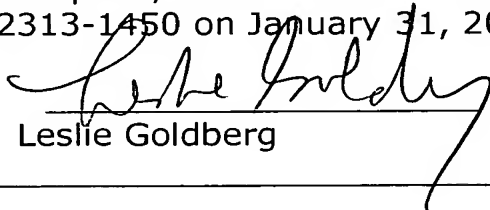
FILED: September 19, 2003

FOR: Helicase-Dependent Amplification of Nucleic Acids

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Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop **AF**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 31, 2007.


Leslie Goldberg

RESPONSE TO FINAL OFFICE ACTION

In response to the Final Office Action mailed October 31, 2006, Applicants wish to amend the above-identified Application as presented herein. The listing of claims begins on page two of this paper. The Remarks and Conclusion sections begin on pages 10 and 16, respectively. Claims 1-50 are pending. Claims 14-28, 34-39 and 46-48 have been withdrawn. Claims 1, 5, and 49 are amended. Claim 3 is cancelled and claim 51 is added.